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State Environment Department
Issues Severe Penalty to Septic-Waste Hauler

The New Mexico Environment Department (NMED) issued a compliance order today assessing a \$1.2 million civil penalty against Southwest Septic Transport and Henry Medina for allegedly violating a Department-issued permit. The permit allowed Henry Medina to dispose of domestic sludge, treated septage, and restaurant grease on a 40-acre piece of property near La Union, New Mexico, just north of El Paso.

The NMED has charged Mr. Medina and his company, Southwest Septic Transport, with 62 violations of the state Water Quality Act and the terms of his permit. The violations include failure to sample for contaminants, failure to file daily logs with NMED, failure to file a timely application for permit renewal with NMED, and continuing to discharge contaminants after expiration of a permit.

“The New Mexico Environment Department will take the actions necessary to protect New Mexico’s environment and the integrity of the state’s ground water,” said NMED Cabinet Secretary Peter Maggiore. “The severity of the order and penalty against Mr. Medina and Southwest Septic Transport reflect the willful disregard he and his company have shown for the environment and human health.”

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The NMED has alleged in a separate lawsuit that Mr. Medina along with a Texas meat rendering company, Valley By Products, Inc., illegally disposed of rendering waste on the property subject to Mr. Medina's discharge permit. That lawsuit is pending in state court in Santa Fe. Mr. Medina and the principals of Valley By Products are also under criminal indictment for alleged illegal disposal of rendering waste in New Mexico. The New Mexico Attorney General's Office is prosecuting the criminal suit.

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